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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,368	07/24/2006	Hao Wang	CN920020015US1	8937

68168 7590 01/20/2011  
MICHAEL BUCHENHORNER, P.A.  
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MIAMI, FL 33143

EXAMINER
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RAHMAN, MOHAMMAD N

ART UNIT	PAPER NUMBER
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2161

NOTIFICATION DATE	DELIVERY MODE
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01/20/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/541,368	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> MOHAMMAD N. RAHMAN	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 30-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is in response to applicant's communication filed on 11/08/2010 in response to PTO Office Action mailed on 10/06/2010. The Applicant's remarks and amendments to the claims were considered with the results as follow.
2. Applicant canceled **claims 1-29**. **Claims 30-37** are newly added. As a result, **Claims 30 - 37** are pending in this office action.

### ***Response to Arguments***

3. Applicant's arguments filed 11/08/2010 have been considered but are moot in view of the new ground(s) of rejection by Stanley et al. (U.S. Application Publication No. 2004/0003132) and Donak et al. (U.S. Patent No. 6,408,061).

### ***Specification***

4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 30-37 are rejected under 35 USC 103 as obvious over Tompkins**

**(U.S. Patent Application Publication No. 2007/0053518) in view of Stanley et al.**

**(U.S. Application Publication No. 2004/0003132) and Donak et al. (U.S. Patent No. 6,408,061).**

**With respect to claim 30**, Tompkins discloses “A service providing method for providing services for a user, said method comprising: ...collecting information of the user, the plurality of the physical devices available to the user, and an environment related to the user” (see **“The software provides a user with interface screens on the display of the wireless device for facilitating information requests to a service provider...”** at **“abstract”** and for the **“user information”** and **“physical devices”**, see **“for authenticating a user to the service provider during the registration process... tagging of the device with this UID allows the physical device (with its unique and verified UID)”** at paragraph [0042]. Thus, the user information’s are being collected by physical devices);

“generating a device object for each physical device available to the user, said device object comprising a data item with identifying information of the physical device” (see **“for authenticating a user to the service provider during the registration process... tagging of the device with this UID allows the physical device (with its unique and verified UID)”** at paragraph [0042] and **“...the ISA checks directly with the service provider to determine enrollment status of the user or CIN(s) associated with the wireless device number”** at paragraph [0044] and **“a user interface screen (416) prompts the user to select from a list of CINs and enter the password or other access code (hereafter “access code”) associated with the selected CIN”** at paragraph [0045], thus the device objects for each physical devices are being generated);

“generating a user object for the user, said user object comprising a device data

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item comprising identifying information for each device object” (see figs. 2 and 4, “abstract” and **“for authenticating a user to the service provider during the registration process... tagging of the device with this UID allows the physical device (with its unique and verified UID)...”** at paragraph [0042] and **“...the ISA checks directly with the service provider to determine enrollment status of the user or CIN(s) associated with the wireless device number”** at paragraph [0044]. Also, regarding the “user object” see **“PDAs”** at paragraph [0032] and for **“authorization information”** as the data item of a user object, see authentication and registration process at paragraphs [0035]. Thus, the device data items for each device objects are efficiently identified);

“constructing a virtual world with the user object, the device objects and the environmental information” (see at **“Abstract”** and paragraphs [0039] – [0042], thus the virtual world with the user object is being created since, a genre of online community that has been taken as form of a computer-based simulated environment, through which users can interact with one another and use and create objects);

“associating the user object with the device objects, wherein the associating comprises matching the identifying information of the device objects in the device data item of the user object with the identifying information in the data item of the device objects” (see **“the ISA next checks the third party server for an UID match to the wireless device number (414)”** at paragraph [0044] and also for the **“user object”** and **“data items of the device objects”**, see paragraphs [0032] and [0042]-[0045]);

“sending the service request and the information from the sentient network to the service provider to ask the service provider to provide a service type information and the device object capabilities requirements information of the service types that can satisfy the service request; selecting one service type from the service types of the services provided by the service provider; determining the device object to receive the service information based on the device object capabilities; and distributing the service information to the determined device object for processing” (and **“for authenticating a user to the service provider during the registration process... tagging of the device with this UID allows the physical device (with its unique and verified UID)...”** at paragraph [0042] and **“...the ISA checks directly with the service provider to determine enrollment status of the user or CIN(s) associated with the wireless device number”** at paragraph [0044]. Also, regarding the “user object” see **“PDAs”** at paragraph [0032] and for **“authorization information”** as the data item of a user object, see authentication and registration process at paragraphs [0035]. Also, for **“service type”** see paragraphs [0056], [0058], [0067] and [0071]. Thus, the service types are explained as the service options which satisfies the service request and based on the device object capabilities, the service information is being received).

It appears Tompkins fails to explicitly disclose “using a sentient network generating device for building a sentient network for the user by...”

However, Stanley discloses, using a sentient network generating device for building a sentient network for the user by...” (see **“the Sentient IT Platform provides**

**a number of benefits. For example, the Sentient IT Platform provides unified, real-time bi-directional user interactivity within "any-to-any" network connectivity environments" at paragraph [0112]. Also, see paragraphs [0109] and "the Sentient IT Platform assures that comprehensive data state activity tracking and history is always available, over flexible network architectures, whether analysis is localized on a single workstation or over wide area or global networks. These improved data management and data state rollback options are made possible by components and interfaces such as the object state engine, status management component" at paragraph [0110] for the sentient network generating device).**

At the time of the invention, it would have been obvious to one of ordinary skill in the art having the teachings of Tompkins and Stanley before him or her, to modify the using a sentient network generating device for building a sentient network for the user by collecting information of the user, the plurality of the physical devices available to the user, and an environment related to the user.

Tompkins and Stanley are analogous art because they are from the same field of endeavor with data management system which relates to a service providing device.

The suggestion/ motivation for doing so would have been to provide, "in the functional integration method and procedures, the Intelligent Object application framework provides functional integration of components, access interfaces and Intelligent Objects of the Intelligent Object Handler, to provide fast, efficient,



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functionally integrated querying, viewing and analysis” (see Stanley at paragraph [0069].

Tompkins and Stanley fail to explicitly disclose “generating a virtual device operating environment for the user based on the information from the sentient network, wherein said virtual device operating environment comprises a virtual device serving as a service interface between the user and a service provider”; “using the virtual device for: receiving a service request sent from the user object desiring a service from the service provider”;

However, Donak teaches “generating a virtual device operating environment for the user based on the information from the sentient network, wherein said virtual device operating environment comprises a virtual device serving as a service interface between the user and a service provider” and “using the virtual device for: receiving a service request sent from the user object desiring a service from the service provider” (see figs. 3 and 5, and **“any occurrences of interface 13 may be replaced by virtual device interface 16 provided that a network interface template compatible with it (such as 31) and a driver compatible with it (such as 42) are also employed”** at col. 3, lines 46-67 and **“...The details of interface line 43 are abstracted from both network interface template 31 and H.323 call manager 46 by virtual device interface 45...adding VoIP capabilities on an Internet Protocol network, is not limited thereto and may be practiced for a wide variety of interface connections 43, and for a wide variety of communication media and networks, features, and protocols...Accept requests from virtual device interface**

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**16 and deliver them to proxy interface 44” at col. 4, lines 1-6 and 17-38. Thus, the above teachings interpret that using the virtual device interface and Internet Protocol service, request is being sent from the user object and service has been received from the service provider);**

At the time of the invention, it would have been obvious to one of ordinary skill in the art having the teachings of Tompkin and Stanley before him or her, to modify the “using a sentient network generating device for building a sentient network for the user by collecting information of the user, the plurality of the physical devices available to the user, and an environment related to the user” with the Donak’s teaching of “generating a virtual device operating environment for the user based on the information from the sentient network, wherein said virtual device operating environment comprises a virtual device serving as a service interface between the user and a service provider.”

The suggestion/ motivation for doing so would have been to provide, “Receive virtual device interface 16 messages from proxy driver 42 and deliver them to virtual device interface 45 for presentation to the external driver” (see Donak at col. 4, lines 1-38).

Therefore, it would have been obvious to combine the teachings of Tompkins and Stanley with Donak to obtain the invention as specified in claim 30.

**With respect to claim 31,** Tompkins / Stanley / Donak teaches, the service providing method of claim 30 wherein the step of selecting the one service type

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comprises:

“receiving the service type information and the device object capabilities requirement from the service provider” **(see Tompkins at paragraphs [0042], [0056], [0058] and [0068], the service type information is explained in the service options);**

“selecting the service type suiting the capabilities of available device objects from the service types provided by the service provider based on the device object information” **(see Tompkins at paragraphs [0042], [0056], [0058] and [0068], the service type information is explained in the service options);**

“notifying the service provider of the selected service type” **(see Tompkins at paragraphs [0035], [0047], [0060] and [0068]);** and

“obtaining the available device object information from the sentient network” **(see Stanley at paragraphs [0109], [0110], [0112]).**

**With respect to claim 32,** Tompkins / Stanley / Donak teaches, “the service providing method of claim 30 wherein using the sentient network generating device further comprises monitoring whether available physical service information and the user information has changed” **(see Tompkins at paragraphs [0048] and [0049]) .**

**With respect to claim 33,** Tompkins / Stanley / Donak teaches, “the service providing method of claim 31 wherein selecting the service type further comprises basing said selection on the user object information” **(see Tompkins at paragraphs [0032], [0035], [0056] and [0058]).**

**With respect to claim 34,** Tompkins / Stanley / Donak teaches, “the service

providing method of claim 31 further comprising obtaining the user object information from the sentient network” (**see Tompkins at paragraphs [0032], [0035], [0056] and [0058]**).

**With respect to claim 35**, Tompkins / Stanley / Donak teaches, “the service providing method of claim 34 wherein obtaining the user object information comprises obtaining user favorite information” (**see Tompkins at paragraphs [0032], [0035], [0056] and [0058]**).

**With respect to claim 36**, Tompkins / Stanley / Donak teaches, “the service providing method of claim 32 further comprising determining a new service type for the user when the available physical service information has changed” (**see Tompkins at paragraphs [0048] and [0049]**).

**With respect to claim 37**, Tompkins / Stanley / Donak teaches, “the service providing method of claim 31 further comprising:

filtering the available device objects based on user favorite information of the device to accept the services obtained from the user object” (**see Tompkins at paragraphs [0032], [0035], [0042] and [0048]**).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad N. Rahman whose telephone number is 571-270-1631. The examiner can normally be reached on 7:30am - 5:00 pm, Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu M can be reached on 572-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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/Mohammad N Rahman/  
Examiner, Art Unit 2161  
Date: 1/13/2011

/Apu M Mofiz/  
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